



## **Town of Moultonborough Zoning Board of Adjustment**

### **Notice of Decision**

#### **Request for Special Exception**

**William R. and Karen Palma Halliday/Map 147, Lot 29**

**May 5, 2010**

**Applicant: William R. and Karen Palma Halliday  
202 Highwood Drive  
South Glastonbury, CT 06073**

**Location: 180 Wentworth Shores Road, Moultonborough, NH (Tax Map 147, Lot 29)**

On April 21, 2010 the Zoning Board of Adjustment of the Town of Moultonborough opened a public hearing on the application of William R. and Karen Palma Halliday (hereinafter referred to as the “Applicant” and/or “Owner”) for an application for Special Exception under Article VII (B)(3) to allow for expansion of a non-conforming primary building into the existing setback for the property located in the Agricultural Residential (AR) Zoning District at 180 Wentworth Shores Road.

Based on the application, testimony given at the hearing, and supporting documentation and plan(s), the Board hereby makes the following findings of fact:

- 1) The property is located at 180 Wentworth Shores Road (Tax Map 147, Lot 29)
- 2) The applicants are the owners of record for the lot.
- 3) The lot is located in the Agricultural Residential (AR) Zoning District.
- 4) No members of the public wished to speak during the Public Hearing.
- 5) The existing structure, a single-family residential unit, is the primary structure on the lot, and extends into the side setback as a pre-existing, nonconforming primary structure.
- 6) The applicants are proposing additions to the existing structure within the fifty foot (50') foot lake setback on the lot.
- 7) The footprint of that portion of the new structure extending into the lake setback will be approximately 959 sq.ft.
- 8) The existing structure is entirely within the lake setback and constitutes approx. 2,373 sq.ft.
- 9) The proposed new structure will not encroach further into the lake setback than the original structure.

- 10) The proposed expansion will not intrude further into any setback area than does the existing structure.
- 11) The proposed expansion will not have an adverse impact on the view, light or air of any abutter.
- 12) The proposed expansion will not cause property values to deteriorate.
- 13) The proposed expansion will not impede the existing rights of access or egress.
- 14) The new portion of the proposed expansion which will intrude into the lake setback will not exceed the sq.ft. amount of intrusion that is present in the existing structure.
- 15) The non-conforming primary structure is not a commercial use.
- 16) The requested Special Exception is to the lake setback.
- 17) Granting of this Special Exception will not result in the violation of any setbacks not already affected.
- 18) The application meets all of the requirements for a Special Exception under Article VII B(3).

The Board of Adjustment continued the Public Hearing to May 5, 2010. The Board of Adjustment closed the public portion of the hearing on May 5, 2010. Based on the above Findings of Fact, the Board of Adjustment voted by a vote of five (5) in favor (Stephens, Hopkins, Heal, Bernstein, McCarthy), none (0) opposed, to **GRANT** the request for Special Exception.

This decision shall not take effect until thirty (30) days have elapsed and no request for rehearing has been filed in accordance with RSA 677:2, or that if such request has been filed, it has been dismissed or denied, in accordance with RSA 677:3.

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Robert Stephens  
Chairman, Zoning Board of Adjustment

Date \_\_\_\_\_